Kenneth L. Anderson, Attorney Towne Square, Suite 330 504 Main Street Lewiston, Idaho 83501 208/743-9569

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF IDAH

In re:

Case No. 99-20601

NORMAN KENNETH SPENCER,

dba NorBon's Copy Cabin,

Debtor.

Debtor.

STATE OF IDAHO, County of Nez Perce, ss:

COMES NOW THE UNDERSIGNED, who after being first duly sworn on oath deposes and says as follows:

I am attorney of record for debtor above-named.

The attachment hereto is a true and correct copy of the client's account as kept in our office for this proceeding and reflects a detailed itemization of reasonable attorney fees and costs necessarily incurred in representing the debtor's interests herein. Fees and costs to be allowed for payment by the trustee are \$98622 per attached records.

Professional time necessary for the completion of the Chapter 13 process and incurred on or after 1 January 1998 is charged and billed at \$120 per hour, plus costs. (Prior to 1 January 1998, professional time was billed at the rate of \$100 per hour. Paralegal time is charged and billed at \$60 per hour.

AFFIDAVIT OF COUNSEL RE ATTORNEY FEES AND COSTS -1-

Typically, in consumer Chapter 13 matters, a fee retainer of \$600 plus filing fee of \$160, total \$760, is collected prepetition and credited against fees to be charged. The fee retainer may be higher in the case of a client with past or present business or other complex involvements. Due to the business involvements the retainer was \$800 plus the \$160 filing fee.

Upon the occasion of an amended plan or motion to modify a confirmed plan, accumulated charges beyond those paid by the retainer are added to the administrative claim to be paid by the trustee upon approval by the court. If no amendment or modification is in order, but significant fees have accumulated, a motion to allow fees and costs may be filed. I do not solicit --and actively discourage-- direct client payments outside this process during the term of the plan. However, any fees and costs remaining unpaid at the conclusion of the plan are then billed and collected directly after allowance by the court.

At my discretion, certain usual and ordinary costs (routine long distance and cellular telephone charges, charges for third-party proprietary research facilities such as the Matthew-Bender Bankruptcy CD-ROM library and online charges, copy machine expense, postage, mileage to Moscow, etc.) are absorbed into the fees; costs more significant in amount are itemized and claimed apart from fees.

AFFIDAVIT OF COUNSEL RE ATTORNEY FEES AND COSTS -2-

The trustee herein has approved this procedure and reviews all fees and costs for reasonableness.

Short history: Debtors cash flow with the business has reduced with the slowing of the economy. We have had several conferences to review options and profit and loss statements to try and project reasonable averages for the various income and expense items on the supplemental schedules I and J. This has been a time consuming process and it has taken repeated trips to his accountant as he felt some of the figures were not accurately reflecting the correct revenue figures in some categories. This caused he and his bookkeeper to do an overhaul of his bookkeeping layout to something that is more likely to prevent duplications of entries and allowed us to have a clearer picture of his income and expenses. Once the amended schedule information was completed a modification of the plan was required.

Kenneth L. Anderson

SUBSCRIBED AND SWORN TO before me this \_

/ day of ///

. 2002

BARBARAL SUESZY

AUGULO \*

Notary Public of the State of Idaho residing at Lewiston.

My commission expires...

∑ 28 FE 200**8** (Barb Suesz). [] 31 JL 2004 (Bradee Miller).

## Certificate of Service

I hereby certify that on the Standard day of Standard day of Served a true and correct copy of the foregoing by first class mail, postage prepaid, on the following: Barry Zimmerman, Trustee, Box 1240, Coeur d'Alene ID 83814, and Jeffrey Howe, Assistant U.S. Trustee, P.O. Box 110, Boise ID 83701 and clients at: Norm Spencer c/o Norbon's , 1101 Main Street, Lewiston ID 83501

Barbara L Suesz